





1445 Ross Avenue **SUITE 3200** DALLAS, TEXAS 75202

(214) 855-4500 TELECOPIER (214) 855-4300

www.jenkens.com

AUSTIN, TEXAS (512) 499-3800

HOUSTON, TEXAS (713) 951-3300

LOS ANGELES, CALIFORNIA (310) 820-8800

SAN ANTONIO, TEXAS (210) 246-5000

> WASHINGTON, D.C. (202) 326-1500

AFFILIATE OFFICE CHICAGO, ILLINOIS (312) 425-3900

BOX: IDS

Assistant Commissioner for Patents

Washington, D.C. 20231

James F. Lea (214) 855-4756

ilea@jenkens.com

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited postage paid with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

Signature

Re:

Applicant(s):

Paul North Bateman 09/658,302

Serial No. Filing Date:

September 8, 2000

For:

SEPARATION AND DETECTION OF SPERMATOZOA

Docket No.:

49447-2USPX

Dear Sir:

Transmitted for filing with the Patent and Trademark Office are the following documents for the abovereferenced patent application:

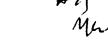
- Supplemental Information Disclosure Statement 1.
- Form PTO-1449 2.
- 3. References B1 - B4
- 4. Check in the amount of \$240.00 for surcharge
- 5. Statement of Relevance
- Postcard acknowledgment
- Please address all communications related to this to:

James F. Lea Jenkens & Gilchrist, P.C. 1445 Ross Avenue, Suite 3200 Dallas, Texas 75202-2799

In the event there is an under or over payment, please debit or credit our Deposit Account #10-0447. This letter is being filed in duplicate to facilitate processing.

Respectfully submitted,

Registration No. 41,143



ECH CENTER 1600/2900



Docket No. 49447-2USPX

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Paul North Bateman)	Group Art Unit: 1641
Serial No.:	09/658,302)	Examiner: K. Padmanabhan
Filed:	September 8, 2000)	

For:

SEPARATION AND DETECTION OF SPERMATOZOA

BOX: IDS

Assistant Commissioner for Patents

Washington, D.C. 20231

09/24/2001 MWDLDER1 00000023 09658302

01 FC:126

180.00 CP

Dear Sir:

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited postage paid with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

In accordance with Applicant's duty under 37 C.F.R. § 1.56 and 1.97, Applicant hereby submits the attached form PTO-1449 (modified) which lists art cited. The art listed therein, while of some relevance, is not necessarily considered to teach or suggest any aspect of the invention described and claimed in the above-identified patent application. This statement is also not to be construed as a representation that a search has, or has not, been conducted or that no better art exists. Rather, this statement discloses only the best art of which the Applicant is aware.

In considering the art set forth below, it may be noted by the Examiner that certain of the references may contain markings, underlinings or other notations. These markings or notations are not to be construed as drawing the Examiner's attention either to selected parts or away from other parts of the references. Any such markings were either present on the copies of the references obtained by Applicant, or were made thereon during the study of the references by the Applicant

and/or his attorneys.

The Examiner is respectfully requested to consider each of the cited references, indicate such consideration by initialing each reference on the enclosed Form PTO-1449 (modified) and return a copy of the same with the next communication to the Applicant. For the convenience of the Examiner in considering the references, copies of the cited references are enclosed with this communication.

Respectfully submitted,

James F. Lea

Reg. No. 41,143

Jenkens & Gilchrist, P.C. 1445 Ross Avenue, Suite 3200 Dallas, Texas 75202-2799 214/855-4756 214/855-4300 (Fax)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Paul North Bateman)	
Serial No.: 09/658,302) Examiner: K. Padmanabhan	
Filed: September 8, 2000) Group Art Unit: 1641	

For: SEPARATION AND DETECTION OF SPERMATOZOA

Assistant Commissioner for Patents Washington, D.C. 20231

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited postage paid with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents,

Washington, D.C. 20231

Signature

Dear Sir:

STATEMENT OF RELEVANCE

Document D7 (FR-2 614 899) was originally submitted in an Information Disclosure Statement filed on September 8, 2000, along with a discussion of each reference. The discussion is reproduced below.

D7: FR-2 614 899

[FR-2 614 899] teaches a series of filters to separate sperm, but none of the filters requires the opposed face to be wetted before separation can occur. Filtration is, once again,

of the same type as D1.

Respectfully submitted,

JENKENS & GILCHRIST,

A Professional Corporation

James F. Lea

Reg. No. 41,143

1445 Ross Avenue, Suite 3200 Dallas, Texas 75202-2799 (214) 855-4756 (214) 855-4300 (fax)